

ARCHITYPES

Legal Archives Society of Alberta Newsletter

Volume 20, Issue II, Summer 2011

TALK TO THE JUDGE: ALBERTA STORIES, TRIALS AND OTHER SHENNANIGANS

by Stacy Kaufeld



The Honourable Jack C. Major, Q.C.

Keynote speaker at LASA's historical dinners in October, 2011.



The Honourable Jack C. Major, Q.C.
with his family at LASA bust unveiling, January 2007

Above: Peter Major, The Hon. Jack C. Major, Q.C., Helene Major, and Steve Major

The Legal Archives Society is honored to announce that this year's Historical Dinner speaker will be the Hon. Jack Major, C.C., Q.C., the former justice of the Supreme Court of Canada. Mr. Major will take the attendees on a journey through Alberta's legal history examining several significant cases that span the years since the development of the legal system in Alberta in the early 20th century.

Born in February 1931, Jack Major attended Loyola College (now Concordia University) where he received a Bachelor of Commerce degree in 1953. He went onto law school at the University of Toronto where he received his LL.B in 1957. After being called to the Alberta Bar in 1958, Major joined the firm of Chambers, Might, Saucier, Milvain, Peacock, Jones & Black (now Bennett Jones LLP), practicing in the Lancaster Building on Stephan Avenue Mall.

While with Bennett Jones, Major became a driving force in Alberta's legal community. He specialized in litigation for businesses and government. Known as "lawyer's lawyer", Major acted as counsel on several public inquiries and Royal Commissions and won several significant cases at the Supreme Court of Canada. He also acted for many major corporations, the Alberta government, and the Canadian Medical Protective Association, the insurer for medical doctors.

In July 1991 Mr. Major was appointed to the Court of Appeal of Alberta. After having spent only a short period of time on Alberta's top court, Mr. Major was appointed to the Supreme Court of Canada in November 1992 where

...continued page 4

Large Collection of Law Society Photographs Scanned by LASA

by Brenda McCafferty, LASA Archivist

The Legal Archives Society of Alberta (LASA) has recently scanned a large number of archival photographs donated by the Law Society of Alberta. This project, which started in September and continued through March 2011, was completed by Ewa Gniazdowska, permanent staff member and contract archivist at LASA. Ewa oversaw the arrangement, description, scanning, and preservation of a large number of images. Help with identification was graciously provided along the way by some current and former staff members of the Law Society of Alberta. We can not thank these willing and gracious volunteers enough for their help putting names to faces and identifying key events depicted. Many of the photographs donated were unlabelled and they took considerable time to sort and catalogue.

The 400 plus images selected for permanent archival retention include photographs of Law Society of Alberta lawyers, staff, Benchers, Judges, law-related buildings and other graphic material depicting legal events within the province. Many special meetings and events attended by members of the legal community are represented in this series including joint meeting photographs with the Canadian Bar Association, Alberta Branch. The images date between 1968 and 2005.

The arrangement, description and preservation of these photographs was made possible by a grant from the NADP and the Archives Society of Alberta, Access to Holdings program. Interested parties may call LASA to gain access to the image bank, Monday through Friday, by calling the office of the Legal Archives Society of Alberta at 1-403-244-5510 or visiting us online through the national and provincial databases: 'Images Canada' and 'Alberta Insights'.



Two of many Law Society of Alberta photographs recently scanned and described by LASA. These photos capture some well known panel speakers and attendees of CBA/LSA meetings. (Jack Major, Q.C. on far right in left photo above)

New LASA Exhibit Installed at Calgary Courts Centre

The Court of Queen's Bench in Calgary contacted LASA early in the year to inform us that our exhibit case (after a few years in storage) was being given a new home in the south foyer of the Calgary Courts Centre Building. The display, similar in character and content to the ten other QB exhibits housed across the Province, was created and installed on April 16, 2011. Content includes a province-wide focus on the courthouses of Alberta including feature items representing famous personalities and events associated with the Calgary courthouse. Please take a moment next time you are through the Calgary Court Centre to check out LASA's newest exhibit!



New LASA display unveiled at Calgary Courts Centre



LASA Receives Government Grant

On May 3, 2011, Executive Director Stacy Kaufeld was invited to accept a cheque on behalf of LASA, a grant in the amount of \$12,932.00 from the Community Initiative Program (CIP).

CIP provides funding for organizations, whose aim is to enhance and enrich Alberta's culture. With this grant, LASA plans to finish the research and writing phase of a book detailing the Court of Appeal of Alberta.

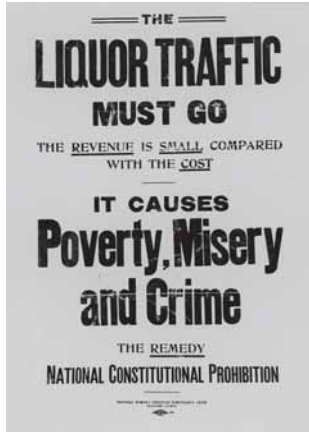
This book will be the lone volume examining the history and personalities of the Court. It will examine the evolution of the administrative and executive structures of the Court from its inception to the present. This history of the Court of Appeal will be placed within the greater context of Alberta's development, and will be important for understanding society's influence on the progression of the Court as an institutional and legal body. Furthermore, it will add to an already well-established and growing history of Alberta's legal heritage.

Since 2007, a number of publications examining Alberta's legal system have been released, including *Just Works: Lawyers in Alberta, 1907-2007* and *The Alberta Supreme Court at 100: History and Authority*. Combined with the publication of *Foundations of Justice: Alberta's Historic Courthouses* which examined the history of Alberta's early courthouses, much work has been done on the history of Alberta's legal tradition.

A book on the Court of Appeal was the one major missing piece, and thanks to the Community Initiative Program, LASA is positioned to complete the project. ❖

Historical Dinner

continued from page one



During the 1920's the Temperance Movement swept Alberta.

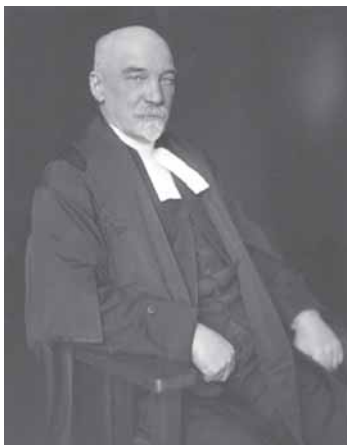


Defence lawyer J. McKinley Cameron

Photo credit: Glenbow Archives

he remained until his retirement in December 2005. While at the SCC Mr. Major participated in approximately 1000 cases on matters as varied as assisted suicide to the death penalty to Quebec separation.

Following his retirement from the SCC, Mr. Major was appointed to the Alberta Securities Commission. In May 2006, he was chosen to head an inquiry into the issues surrounding the Air India bombing which killed 329 people in June 1985. This event, described in his final report as a "Canadian tragedy", is an interesting read, especially where Mr. Major examined the role of, and relationship between, the RCMP, CSIS and other law enforcement agencies. He made sweeping recommendations with respect to terrorist financing, protection of witnesses and aviation security.



The Hon. Justice James Walsh

First a respected lawyer, then appointed to the Bench as Justice of the Supreme Court of Alberta (where he served in *R. vs. Lassandro & Picariello*), Walsh was later appointed Lieutenant Governor of Alberta and in this capacity he received notice of Premier Brownlee's resignation following the 1930's Seduction Trial.



Cora McPherson
'Bares Her Soul' in court.

Dinner topics of historic interest...

Edmonton defence lawyer Neil D. Maclean, K.C. leaving the courthouse with his client Vivian MacMillan during MacMillan vs. Premier J.E. Brownlee proceedings.

From the Edmonton Bulletin, June 25, 1934





Premier J.E. Brownlee announces his intention to resign to Alberta Lieutenant Governor, The Hon. James Walsh.

From the *Edmonton Bulletin*, June 30, 1934

The Honourable Mr. Major currently acts as Counsel at Bennett Jones where he provides strategic and tactical reviews of significant matters for firm's clients. He also acts as a senior mentor to lawyers and staff in the firm. He also practices in the areas of mediation, arbitration, corporate governance and consultation.

Jack Major is a member of the Canadian Institute for the Administration of Justice and the Canadian Judges Conference. He was appointed Queen's Counsel in 1972, and was appointed a Companion of the Order of Canada in July 2008.

The Edmonton Historical Dinner will be held Thursday, October 20, 2011 at the Fairmont Hotel Macdonald and the Calgary Historical Dinner will be held on Thursday, October 27, 2011 at the Fairmont Palliser Hotel. Both evenings will begin with a reception at 6:00 pm when guests can enjoy a glass of sparkling wine and good conversation. Dinner will begin at 7:00 pm. All proceeds will go towards maintaining LASA's many historical programs. Tickets are \$150 each or \$1,000 for a table of eight and can be purchased by contacting LASA at 1-403-244-5510 or via email at lasa@legalarchives.ca.

Please join us in supporting the Legal Archives Society of Alberta while enjoying a stimulating journey through Alberta's legal heritage.



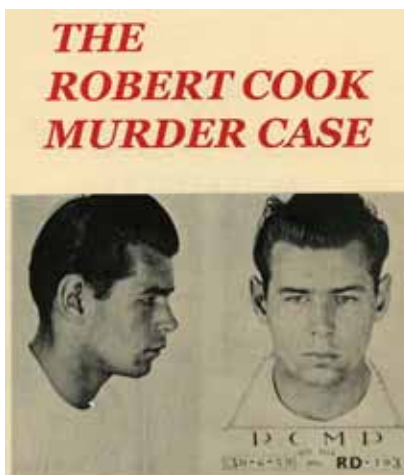
Harvey Goes to War with the Canadian Military on the Streets of Calgary!

LASA 5-G58

LASA 5-G-60



Who is the Chief Justice of Alberta? Scott vs. Harvey and the 1921 controversy.



The conviction of Robert Raymond Cook for committing one of the grizzliest crimes in Alberta's history made front page headlines (see photo of victims' shoes below). He was the last man hanged in Alberta in 1960.

- From LASA David P. MacNaughton fonds, 15-G-32



Board of Director News

David Bickman LASA Treasurer

Longtime Treasurer of LASA, David Bickman, has retired from the Board after giving 14 years of service. David joined the Board of Directors in 1997.

An important member of LASA's Board, David was always willing to lend an ear and offer valuable input. His thoughtful and engaging perspective and sharp memory added depth to every discussion and his participation on the Board will be missed.

David was also a member of LASA's Access Sub-Committee and he volunteered in other capacities whenever called upon.

Last but not least, we want to thank David for his continued support by instilling his interest in LASA to his son and fellow lawyer Aaron Bickman (photo below at right) who we are pleased to report officially joined LASA's Board in 2010. Aaron's help in promoting LASA's historical dinners and with fundraising in general has already proven to be of value.



David Bickman (above, on far right)

David Bickman was called to the Alberta Bar in Calgary on June 8, 1973.

Presented by his principal T.W. Snowden, Q.C. (left) and admitted by The Hon. Mel Shannon, Q.C. (centre), Supreme Court of Alberta.

Photo donated by Mel Shannon



Aaron Bickman

**LASA's newest member of the
Board of Directors**

LASA welcomes Aaron Bickman to the
Board of Directors



Garth Fryett, Q.C.

After 15 years of service, we announce the retirement of Garth Fryett, Q.C. from LASA's Board of Directors. Garth joined the LASA Board in 1996 and served continuously since that time while hardly ever missing a meeting.

Born in Saskatchewan, Garth moved to Edmonton and attended the University of Alberta Law School. After articling to Alan Brownlee, Q.C. he was admitted to the Alberta Bar on June 5, 1953. In 1956 he became partner at 'Brownlee Brownlee & Fryett where he remained in practice for the length of his legal career.

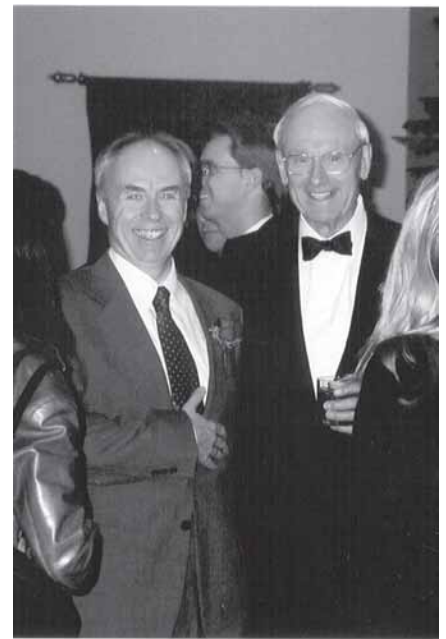
As a Board member, Garth's guidance in administering and fostering the Edmonton Oral History Program was greatly appreciated and resulted in the completion of approximately 50 oral history interviews with prominent members of the legal profession between 1997 and 2005. This collection of oral histories represents a vital historical record. Over the years Garth's support and promotion of LASA's annual historical dinner in Edmonton was also instrumental in making it the success it has become. Garth himself has served as speaker at several of these dinners and in recognition of his exemplary service he was made a Honourary member of LASA in 2001. In addition to his contribution to LASA, Garth has played an important part in the Edmonton legal community over many years and in 1996 he received the Edmonton Bar Association Distinguished Service Award.

A suitable tribute to his years of service to the legal profession is best summed up by Garth himself, in his oral history interview conducted by LASA in 2002:

Fryett: I think that if I had to do my life over again, I would want to do exactly the same thing.

Interviewer: *Well you can't wish for better than that.*

Fryett: You can't wish for better than that, and all of the wonderful lawyers that I have met, and the other people associated with the law, the court reporters, the, you know the clerks of the court, etc. As soon as you start mentioning them you think of some other funny stories. No I think that it has been absolutely wonderful.



Garth Fryett, Q.C.

With The Hon. Justice Jack Watson (on left), at a past Edmonton historical dinner.

Garth Fryett (at far left)
50-year Practice Award Recipient - Law
Society of Alberta, 2003



Leonard Brockington

by Stacy Kaufeld

As many LASA supporters will recall, LASA has been working with former Calgary lawyer Ed Bredin, Q.C. to publish a biography of Leonard Brockington, Q.C. Mr. Bredin took an interest in Brock (as he was known) while he was Calgary City Solicitor, a position Brockington had held between 1922 and 1935.

More than a lawyer, Brock became a renowned after-dinner speaker, giving speeches on varied topics to diverse audiences. Combining knowledge and understanding with wit and humour, Brockington spoke to audiences all over the world, including giving the keynote address at the UNESCO conference in India in 1956 where he headed the Canadian delegation.

Brock was born in Cardiff, Wales on April 6, 1888. He arrived in Edmonton in 1912 with a scant \$8 in his pocket. While attending law school at the University of Alberta – where he was not required to attend class – he managed to receive the highest marks on all of his exams. He left Edmonton for Calgary before receiving his law degree.

While in Calgary he took Articles at the Loughheed & Bennett firm. He remained there until shortly after he was called to the Bar but left just before the firm split. In fact he was mentioned in the infamous lawsuit. He then became City Solicitor at the City of Calgary, a job he remained at until 1935 when he moved to Winnipeg to take up a position with the North West Grain Dealers Association.

While with the Grain Association, Brock also became the first Chairman of the Canadian Broadcast Association. Following his three years with the CBC, Brock was

recruited by Prime Minister Mackenzie King to run the Prime Minister's Public Information Bureau during World War II.

Following a personality conflict with the Prime Minister, Brock took leave and travelled to Great Britain to join the



Pencil sketch of
Leonard
Brockington, 1957

British government's war effort in a similar capacity. He gave a great many speeches via radio and in person on the Allied war effort where he discussed unity and the struggle for freedom and democracy. One of his most famous speeches came from aboard the Canadian Destroyer Sioux where he witnessed the D-Day landings on June 6, 1944.

Following the war, Brock returned to Canada and continued in his career as a professional speaker. He gave several speeches to both the Canadian and American

Bar Associations. He was also invited to speaking engagements in Greece, Australia, New Zealand and India. His last position was as Rector at Queen's University where a number of buildings were named after him. Brockington died at the age of 78 in September 1966.

Readers of *Archetypes* will enjoy interesting details of Brockington's adventurous life when his biography is released in Fall 2011 as LASA's inaugural paper in our new "Occasional Paper" series.

If you are interested in submitting a paper or piece of work on Alberta's legal heritage, please see details at our website: www.legalarchives.ca.



Brockington family photograph, taken in Cardiff Wales, about 1908

Back Row (left to right): Hugh, Dora, Marjory, Jessie, Frank
Front row: Leonard, mother Annie (Walters), father Walter and Mary

Leonard Brockington grew up in Cardiff, Wales where his father was Headmaster of the Canton School for Boys.



Edward Bredin, Q.C.

Like Brockington, Ed Bredin served as Calgary's City Solicitor. Here Ed is seen (on the right) in attendance at a past LASA histocial dinner.

LASA Attends Unveiling of "The Living Tree" at the Calgary Court Centre

Work of Art Jointly Commissioned with the Calgary Bar Association

On June 2, 2011, Everett Bunnell and Stacy Kaufeld attended the unveiling of "The Living Tree" by Sarah Bing. It is a five-panel work of art presented to the Calgary Court Centre on behalf of the Calgary Bar Association and LASA. It is on permanent display in the Ceremonial Courtroom on the 18th floor of the North Tower.

For LASA's part, the donation of a piece of art to the Calgary Court Centre is our way of expressing LASA's appreciation to all three levels of the Court for their continued support of LASA and our aim to promote and preserve Alberta's legal history. Judges from all three courts have donated valuable archival papers from their time on the bench, participated in the Oral History Program, attended our Annual Historical Dinners, and supported the publications of various books dealing with different aspects of Alberta's legal history – including a forthcoming book on the history of the Court of Appeal.

LASA would like to thank the Calgary Bar Association for offering us the opportunity to present this gift to the Calgary Court Centre, and we hope to continue to work together with the Calgary Bar Association to preserve Alberta's legal heritage.



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(up to September 1, 2011)

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**Thank you to everyone who made a donation in
response to our 2011 Annual Campaign letter!**

Announcements

- The 2011 historical dinners featuring The Honourable Jack C. Major, Q.C. will be held in Edmonton at the Fairmont Hotel Macdonald on Thursday, October 20 and in Calgary at the Fairmont Palliser Hotel on Thursday, October 27. All proceeds go towards maintaining LASA's many historical programs such as displays, oral histories, publications, research services and preserving records in the archives.
- October 3-8, 2011 is Archives Week in Alberta! Archives Week is an annual event sponsored by the Archives Society of Alberta to raise awareness of the historic documents, photographs and other records preserved by Alberta's numerous archival institutions. This year, a virtual exhibit at www.archivesalberta.org highlights early color images from the holdings of 22 archival institutions around the province. The ASA has also produced a 2012 calendar available for sale (\$10) at LASA's office.

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